

**REMARKS**

Claims 1-9 and 12-17 are pending in the application. Claim 1 and 12-17 have been amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

***I. REJECTION OF CLAIMS 1-17 UNDER 35 USC §103(a)***

Claims 1-9 and 12-17 stand rejected under 35 USC §103(a) based on Dow in view of Sawabe. Applicant respectfully traverses the rejection for at least the following reasons.

The claims of the present application have been amended to recite with more particularity the decodability of the encoded data. Referring to claim 1, for example, the claims recite that:

*the encoded data is decodable both by the auxiliary information file in accordance with a standard other than the MPEG-2 system standard and by the MPEG-2 system standard.*

That is, the claimed subject matter allows the encoded data to be decoded by both a conventional MPEG-2 reproduction device and a device that decodes the data based on the auxiliary information (e.g., a MP4 reproduction device). Applicants respectfully submit that Dow does not teach or suggest such features.

Dow is directed to a digital video recorder (DVR) that is capable of storing AV content as well as indexing information pertaining to the detection of blackfield screen transitions within the AV content (i.e., commercial transitions). Specifically, with reference to Figs. 1 and 5, reproduced below, Dow discloses that AV data is input (102, 510), converted into the MPEG-2 format, and stored (160, 554). (Dow, Col. 5, lines 50-55; Col. 17, lines 23-24.)

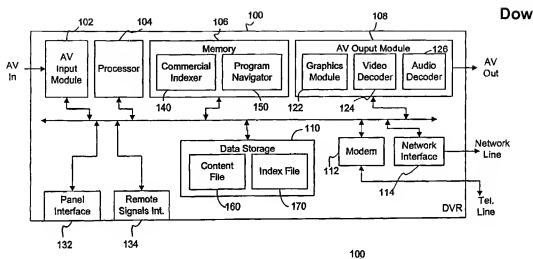


Fig. 1

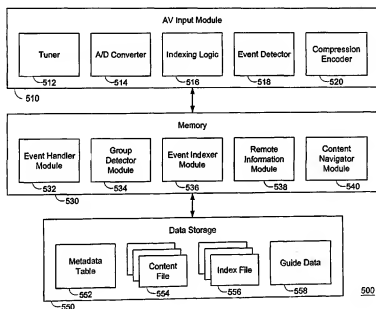


Fig. 5

An index file is also stored to manage and identify the stored programs 170, 556. The index file is provided for the purpose of enabling time-based navigation of the AV content. More particularly, the index file includes index data regarding the content file, such as the correlation between a location within a file and the specific program content at that location, time-based index data, commercial index data, and program

begin/end/last viewed data. (Dow, Col. 7, lines 55-63; Col. 17, lines 34-40.) That is, the index information provides flagging information for specific occurrences within a MPEG-2 data stream.

Dow does not teach or suggest encoded data that is *decodable both by the auxiliary information file in accordance with a standard other than the MPEG-2 system standard and by the MPEG-2 system standard*, as recited in the claims. Rather, Dow is only directed to a conventional MPEG-2 data stream with associated flagging information, and the reproduction thereof using the MPEG-2 system standard. Accordingly, Dow does not provide for the above-mentioned advantages associated with the claimed subject matter.

In addition to the deficiencies of Dow that are discussed above, the Examiner admits that Dow does not teach or suggest that the claimed auxiliary information includes *attribute information that uses a video object unit (VOBU) of the encoded data as a sample unit and that describes an attribute of the sample unit*. The Examiner contends that Sawabe teaches such features, and that it would have been obvious to modify Dow to include the features of Sawabe. While Sawabe generally discloses the generation of identification information that indicates the type of recording information (i.e., video file or audio file) on a given recording medium, Applicants respectfully submit that Sawabe does not teach or suggest the claimed attribute information.

Sawabe is directed to an integrated reproduction list (i.e., playlist) that corresponds to a plurality of recording information recorded in a plurality of information recording mediums. The integrated reproduction list enables the sequential reproduction of a plurality of recording information in accordance with a desired reproducing procedure. Sawabe discloses that the various recording mediums may include video information or audio information. Accordingly, the integrated reproduction list includes identification information that describes an attribute of the information to be reproduced, which indicates whether the information to be reproduced is video information or audio information. (see Sawabe, Col. 28, lines 19-25; 37-41; 53-56.)

Sawabe does not disclose auxiliary information including *attribute information that uses a video object unit (VOBU) of the encoded data as a sample unit and that describes an attribute of the sample unit*. Instead, as described above, the attribute information of Sawabe is merely the identification of the type of file to be reproduced, e.g., audio information or video information. (Sawabe, Col. 11, lines 41-46.) The attribute information in Sawabe does not describe an attribute of the sample unit (VOBU) of the encoded data. That is, Sawabe fails to teach or suggest that the attribute information is provided for each VOB.

Furthermore, the attribute information in Sawabe is not the same attribute information disclosed in the present application (e.g., data size, playback time, address of the data storage location, time stamp representing playback timing, encoded bit rate, information about codec). (see page 30, line 16 – page 31, line 15 of the specification.)

For at least the above reasons, Applicant respectfully submits that the Dow/Sawabe combination does not teach or suggest the features of claims 1, 12-17, and the claims dependent therefrom. Applicant respectfully requests that the rejection under 35 USC §103(a) be withdrawn.

## **II. CONCLUSION**

Accordingly, all claims 1-9 and 12-17 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional

extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

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